

BILL NO. 84-20
AS AMENDED

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 84-20 (AS AMENDED)

Introduced by Council President Hardwicke at the request of the County Executive
Legislative Day No. 84-10 Date April 3, 1984

AN EMERGENCY ACT to add new Subsection ~~(i)~~ to Section 4-187, (b) TO SECTION 4.05, of Section IV, heading, Requirements for the Subdivision of Land, and to add new Subsection (e), to Section 6.01, of Section VI, AND TO REPEAL AND RE-ENACT SECTION 6.02, OF SECTION VI, heading, The Final Subdivision Plat, all of the Harford County Subdivision Regulations (1959 Edition, as amended); to provide the County with fee simple title to the road improvement rights-of-way shown on recorded plats; FINAL SUBDIVISION PLATS; TO PROVIDE FOR MODIFICATION OF THE OWNER'S STATEMENT CONTAINED ON THE FINAL SUBDIVISION PLAT; AND GENERALLY RELATING TO THE SUBDIVISION OF LAND.

By the Council, April 3, 1984

Introduced, read first time, ordered posted and public hearing scheduled
on: May 1, 1984
at: 7:00 P.M.

By Order: Angela Markowski, Secretary
ap

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on May 1, 1984 and concluded on May 1, 1984.

Angela Markowski, Secretary
ap

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1 Section 1. Be It Enacted By The County Council of Harford County,
2 Maryland, that new Subsection ~~(i)~~, (b), ~~of Section 4-18~~, be, and
3 it is hereby added to TO SECTION 4.05, OF Section IV, heading,
4 Requirements for the Subdivision of Land, and that new Subsection
5 (e), of Section 6.01, be, and it is hereby added to Section VI,
6 AND TO REPEAL AND RE-ENACT SECTION 6.02, OF SECTION VI, heading,
7 The Final Subdivision Plat, all of the Harford County Subdivision
8 Regulations (1959 Edition, as amended), to read as follows:

9 Section IV. Requirements for the Subdivision of Land

10 In laying out a subdivision, the subdivider shall comply with
11 the following general principles and requirements:

12 Dimensional Standards--

13 Section 4-18--Minimum Right-of-Way Widths--

14 ~~(i)--AT THE TIME OF SUBDIVISION OF A PROPERTY ALONG AN~~
15 ~~EXISTING COUNTY ROAD, THE SUBDIVIDER SHALL DEED TO THE COUNTY A~~
16 ~~ROAD RIGHT-OF-WAY APPROPRIATE TO THE ROAD AND ITS FUNCTIONAL~~
17 ~~CLASSIFICATION,--WHERE THE PROPERTY FRONTS ALONG ONE SIDE OF THE~~
18 ~~EXISTING ROAD, THE SUBDIVIDER SHALL DEED ONE HALF (1/2) THE~~
19 ~~REQUIRED RIGHT-OF-WAY, GENERALLY CALCULATED FROM THE CENTER LINE~~
20 ~~OF THE EXISTING ROAD.--~~

21 STREETS AND ROADS

22 (a) WHEREVER A TRACT OF LAND TO BE SUBDIVIDED INCLUDES ANY
23 PART OF A STREET OR CONTROLLED ACCESS HIGHWAY INDICATED ON SUCH
24 MAJOR ROAD PLAN, THE LOCATION OF SUCH STREET OR HIGHWAY SHALL BE
25 SUITABLY INCORPORATED BY THE SUBDIVIDER IN HIS LAYOUT PLAN. IF
26 THE AREA OR PART THEREOF WHICH IS REQUIRED FOR SUCH PROPOSED
27 STREET, ROAD OR HIGHWAY IS NOT DEDICATED FOR SUCH USE, IT SHALL BE
28 RESERVED FOR SUCH PURPOSE, AND OFFERED TO THE COUNTY OR OTHER
29 AGENCY FOR ACQUISITION. THE COUNTY, STATE, OR ANY OTHER PUBLIC
30 AGENCY WILL NOT, BECAUSE IT IS REQUIRED THAT SUCH PROPERTY BE
31 RESERVED, BE PERMITTED TO POSTPONE THE PLANNING, DEVELOPING OR
32 OTHER ACTION OF THE SUBDIVIDER, RELATIVE TO SUCH AREA, LONGER THAN

1 SIXTY (60) DAYS FROM THE DATE THAT FIVE (5) COPIES OF THE PROPOSED
2 SUBDIVISION LAYOUT PLAN ARE TRANSMITTED TO THE PUBLIC AGENCY
3 CONCERNED, TOGETHER WITH A REQUEST IN WRITING THAT THE PUBLIC
4 AGENCY SHOW HIM THE LIMITS AND EXTENT OF ITS PROPOSED TAKING
5 WITHIN THE CONFINES OF HIS PROPOSED SUBDIVISION. ANY GRACE OR
6 EXTENSION OF THE SIXTY (60) DAY PERIOD SHALL BE BY MUTUAL
7 AGREEMENT BETWEEN THE TWO PRINCIPAL PARTIES CONCERNED.

8 (b) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (a), WHEN A
9 TRACT OF LAND TO BE SUBDIVIDED ABUTS AN EXISTING COUNTY ROAD, THE
10 SUBDIVIDER SHALL, AS A CONDITION OF SUBDIVISION APPROVAL, DEED TO
11 THE COUNTY A ROAD IMPROVEMENT RIGHT-OF-WAY APPROPRIATE TO THE ROAD
12 AND ITS FUNCTIONAL CLASSIFICATION. WHEN THE TRACT FRONTS ALONG
13 ONE SIDE OF THE EXISTING ROAD, THE SUBDIVIDER SHALL DEED ONE-HALF
14 (1/2) OF THE REQUIRED RIGHT-OF-WAY, GENERALLY CALCULATED FROM THE
15 CENTER LINE OF THE EXISTING ROAD. TITLE TO ROAD IMPROVEMENT
16 RIGHTS-OF-WAY SHALL BE GOOD AND MARKETABLE AND FREE OF LIENS AND
17 ENCUMBRANCES.

18 Section VI. The Final Subdivision Plat.

19 The final plat of a subdivision shall consist of the final
20 plat intended for record, with the supporting detailed plans and
21 data required by Section IV, setting forth the requirements for
22 the subdivision of land, and incorporating those changes or
23 additions lawfully ordered by the Commission in its approval of
24 the the preliminary plan. The final plat may include all or any
25 portion of the area covered by the preliminary plan.

26 Section 6.01. The final plat shall conform to the following
27 requirements:

28 e. IT SHALL BE ACCOMPANIED BY A SIGNED DEED CONVEYING TO THE
29 COUNTY ANY ROAD IMPROVEMENT RIGHT-OF-WAY ALONG AN EXISTING COUNTY
30 ROAD.

31 ~~Section 2. And Be It Further Enacted, that this act shall take~~
32 ~~effect sixty (60) calendar days from the date it becomes law.~~

1 SECTION 6.02. IT SHALL CONTAIN THE FOLLOWING OWNER'S STATEMENT:

2 THE OWNER HEREBY GRANTS TO HARFORD COUNTY, MARYLAND, AN
3 EASEMENT FOR THE CONSTRUCTION, MAINTENANCE, REPAIR AND REPLACEMENT
4 OF WATER, SEWER AND STORM DRAINAGE LINES WITHIN THE DRAINAGE AND
5 UTILITY EASEMENTS AND ROAD IMPROVEMENT RIGHTS-OF-WAY AS SHOWN ON
6 THE PLAT.

7 UNLESS OTHERWISE PROVIDED ON THIS PLAT, THE STREETS, ROADS,
8 OPEN SPACES AND PUBLIC SITES SHOWN HEREON, AND THE MENTION THEREOF
9 IN DEEDS ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE SAME ARE
10 NOT INTENDED TO BE DEDICATED TO PUBLIC USE; THE FEE SIMPLE TITLE
11 TO THE LAND SO SHOWN IS EXPRESSLY RESERVED TO THE PRESENT OWNER(S)
12 SHOWN ON THIS PLAT, THEIR SUCCESSORS, HEIRS AND ASSIGNS. NOTHING
13 CONTAINED HEREIN SHALL PRECLUDE THE OWNER FROM CONVEYING BY DEED
14 THE STREETS, ROADS, OPEN SPACES AND PUBLIC SITES IN FEE TO HARFORD
15 COUNTY, MARYLAND.

16 NO LOT WILL BE RESUBDIVIDED TO PRODUCE A BUILDING SITE OF
17 LESS AREA OR WIDTH THAN THE MINIMUM REQUIRED BY SUBDIVISION
18 REGULATIONS OR THE COUNTY HEALTH OFFICER.

19 SECTION 2. AND BE IT FURTHER ENACTED, THAT THIS ACT IS HEREBY
20 DECLARED TO BE AN EMERGENCY ACT, NECESSARY FOR PROPER
21 ADMINISTRATION OF THE SUBDIVISION REGULATIONS FOR HARFORD COUNTY,
22 MARYLAND, WHICH SHALL TAKE EFFECT ON THE DATE IT BECOMES LAW.
23 EFFECTIVE: May 18, 1984

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BY THE COUNCIL

AS AMENDED

BILL NO. 84-20 (as amended)

Read the third time.

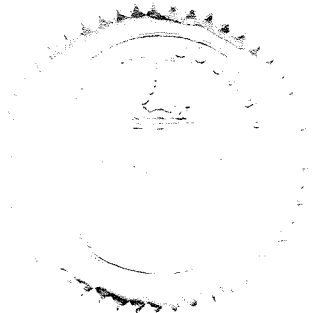
Passed LSD 84-15 (May 15, 1984) (with amendments)

Failed of Passage _____

By order

Angela Marchese, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 16th day of May, 1984
at 3:00 o'clock P.M.



Angela Marchese, Secretary

BY THE EXECUTIVE

APPROVED:

[Signature]
County Executive
Date 5-18-84

BY THE COUNCIL

This Bill (No. 84-20, as amended), having been approved by
the Executive and returned to the Council, becomes law on
May 18, 1984.

Angela Marchese, Secretary

EFFECTIVE DATE: May 13, 1984

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